

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

45.001 - TITLE

This article shall be known as the Placer County Cultural and Historic Resources Preservation Ordinance.

45.005 - INTENT AND PURPOSE

- A. The Board of Supervisors finds that the protection, enhancement, perpetuation, and use of structures and districts of historic, archaeological, architectural and engineering significance, located within the County are of cultural and aesthetic benefit to its communities. It is further found that respect and understanding of the heritage of the County will enhance the economic, cultural, and aesthetic standing of the County. The purpose of this Ordinance is to promote the general welfare of the public through one or more of the following:
1. The protection, enhancement, perpetuation and use of historic structures and/or other cultural resources:
 - (a) that represent past eras, events, and persons important in prehistory or history, (b) which provide significant examples of architectural styles of the past or are landmarks in the history of architecture, (c) which are unique and irreplaceable assets to the County and its communities, or (d) which provide for this and future generations examples of the physical surroundings in which past generations lived;
 2. The development and maintenance of complementary settings and environment for such structures and/or districts;
 3. The preservation and encouragement of the County's varied architectural styles, reflecting the cultural, social, economic, political, and architectural phases of its history;
 4. The enhancement of property values, the stabilization of communities and areas of the County, the increase of economic and financial benefits to the County and its inhabitants, and the promotion of the tourist trade and interest;
 5. The integration of the preservation of cultural resources into public and private land use management and development processes;
 6. The educational and cultural enrichment of this and future generations by fostering knowledge of our heritage;

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

7. The promotion and encouragement of continued private ownership and Utilization of such structures so the objectives listed above can be attained under this policy;
8. The identification and resolution of conflicts between the preservation of cultural resources and alternative land uses, as early as possible in the planning process;
9. The promotion of public awareness of the benefits of preservation and the encouragement of public participation in identifying and preserving historic, architectural and archaeological resources thereby increasing community pride in the County's cultural heritage; and/or
10. The establishment of a basis for coordinating the goal of the preservation of cultural resources, historic structures and historic districts with the need to set standards for and implement other elements of the County's plans, policies, and programs.

45.010 - PLACER COUNTY HISTORICAL ADVISORY BOARD (HAB)

There is established an advisory board in the County known as the Placer County Historical Advisory Board (HAB) which was initially provided for by Placer County Board of Supervisors Resolutions #83-104 and #86-499. These resolutions created the HAB to advise and make recommendations to the Board of Supervisors regarding: (1) the operation of the Placer County Museum and its related sites; and (2) all matters related to historic, prehistoric, archival museum planning and policy matters.

To the extent such individuals are available in the community, the members of the HAB shall include persons who have demonstrated special interest, competence, experience or knowledge in history, pre-historic and historic archaeology, architecture, architectural history, historic preservation, American Studies, folklore, cultural anthropology, cultural geography, curtain, conservation, landscape architecture, or other preservation-related disciplines.

45.020 - RESPONSIBILITIES AND DUTIES OF THE HISTORICAL ADVISORY BOARD

The Placer County Historical Advisory Board shall act in an advisory capacity to the Board of Supervisors, the Department of Museums and the Placer County Planning Commission in all matters relating to the identification, protection, retention and preservation of historical resources within the County and shall include the following:

- A. Review and recommend cultural resources for placement in the Placer County Official Register of Cultural and Historic Resources (hereinafter designated as the 'Official Register'), consistent with the National Register of Historic Places or

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

California Register of Historical Resources criteria, including without limitation, historic districts, landmark sites, and landmarks within Placer County including all information required for each designation.

- B. Recommend to the Board of Supervisors the purchase of interests in property, including less than fee interests, transfer of development rights, easements, or other mechanisms, for the purpose of cultural or historic preservation.
- C. Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to cultural or historic resources preservation.
- D. Review and comment on National Register of Historic Places, California Register of Historical Resources, California Historical Landmark, and California Point *of* Historical Interest applications submitted for properties within the County and provide recommendations to the State Office of Historic Preservation on whether each property meets the criteria for the various programs.
- E. Advise and make recommendations to the Board of Supervisors on how it can best promote the preservation of cultural and historic resources of Placer County.
- F. Advise and make recommendations to the Board of Supervisors on the formulation, implementation, and review of all programs, policies, services, facilities, and other matters relating to the preservation of the cultural and historic resources of Placer County, including matters subject to review pursuant to the requirements of the California Environmental Quality Act (CEQA) and the provisions of Section 106 of the National Historic Preservation Act.
- G. Encourage recognition of the owners of landmarks or property or structures within historic districts by means of certificates, plaques, or markers, and from time to time issue commendations to owners of cultural resources who have rehabilitated their property in an exemplary manner.

45.030 - RESPONSIBILITIES AND DUTIES OF THE DEPARTMENT OF MUSEUMS

The following responsibilities and duties shall be carried out by the Director of the Placer County Department of Museums or an authorized designee:

- A. At the direction of the Board of Supervisors, perform and supervise the cultural resources survey. Review and distribute the *Historical, Architectural, and Archaeological Resources of Placer County, California*, an inventory of cultural and historic resources in the unincorporated areas of the County, in conformance with state standards, as may be authorized by the Board of Supervisors.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

- B. Cooperate with and assist federal, state, and local government entities in the pursuit of cultural and historic preservation objectives of the County.
- C. Participate in County-wide open space planning efforts as they relate to the protection and/or preservation of historic and cultural resources.
- D. Advise and assist property owners, on request, on the restoration, rehabilitation, alteration, decoration, landscaping, or maintenance of any cultural and historic resource. If requested, negotiate with property owners who propose to demolish or relocate designated landmarks and/or significant properties in designated districts, in an effort to find a means of preserving the properties.
- E. Encourage and render advice and guidance to property owners or occupants on procedures for inclusion of a cultural or historic resource on the National Register of Historic Places, any State historic listing, and local historic listing that may be appropriate.
- F. Investigate and report to the Board of Supervisors on the use of various federal, state, and local or private funding sources and mechanisms available to promote cultural and historic resource preservation in Placer County.
- G. Review and comment on the decisions and documents (including environmental assessments, environmental impact reports, environmental impact statements, development applications, building permits and other similar documents) of Placer County and other public agencies when such decisions or documents may affect cultural and/or historic resources, cultural/historic districts, or other resources within the County using as guidelines the Secretary of the Interior's *Standards for Archaeology and Historic Preservation*.

45.035 - OFFICIAL REGISTER OF CULTURAL AND HISTORIC RESOURCES

Those sites and areas officially designated by the Board of Supervisors as cultural/historic resources and cultural/historic districts shall collectively be known as the *Placer County Official Register of Cultural and Historic Resources* ("Official Register"). The Official Register shall be kept on file with the Director of the Department of Museums, who shall transmit copies to the Placer County Clerk-Recorder-Registrar for recordation in the Official Records of Placer County, the Director of the Planning Department, the Director of the County Library, and to other such entities as the Director of Museums deems appropriate. The Placer County Clerk-Recorder-Registrar shall record the document pursuant to the requirements of County Code. The process to designate a cultural/historic resource and/or a cultural/historic district in the Official Register may be initiated by the property owner, as provided by Section 45.040.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

45.040 INITIATION OF OFFICIAL REGISTER DESIGNATION PROCESS BY THE PROPERTY OWNER(S)

- A. Individual Resources or Sites. The process to consider the designation of individual cultural or historic resources or sites may be initiated upon application of the owner of the property for which such designation is requested (or the authorized representative of the owner). Any such proposal shall be filed with the Planning Department on forms prescribed by the Planning Director and shall be accompanied by the following information (as appropriate):
1. The Assessor's parcel number of the site or the property whereon the structure or resource proposed for designation is located and the legal description of the property proposed for designation;
 2. A descriptive narrative detailing the structure or resource proposed for designation;
 3. A description of special aesthetic, cultural, architectural, or engineering qualities which justify such designation;
 4. Sketches, drawings, photographs, or other descriptive material;
 5. A statement of the condition of the structure or resource;
 6. A statement of architectural and/or historic significance of the structure or site as discussed in Section 45.050;
 7. Any other information determined to be appropriate by the Planning Director and in consultation with the Director of Museums; and,
 8. Written authorization of the property owner(s) of record (or an authorized agent).
- B. Districts. The process to consider the designation of a cultural or historic district may be initiated upon application of a majority of the owner(s) of the property for which designation is requested (or the authorized representative(s) of such owner(s)). Any such proposal shall be filed with the Planning Department on forms prescribed by the Planning Director, in conformance with Section 5.550, and 25.110, Chapter 30 of the Placer County Code.

46.050 - REVIEW CRITERIA

Any improvement, natural feature, or site may be designated as a cultural or historic resource, and any area within the County may be designated a cultural/historic district by the Board of Supervisors upon application if such improvements, natural features, sites, or areas meet one or more of the following criteria:

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

A. It meets the criteria for listing on the *National Register of Historic Places*, as follows:

1. The resource or district is associated with events that have made a significant contribution to the broad patterns of history.
2. The resource or district is associated with the lives of persons significant in our past.
3. The resource or district embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
4. The resource or district has yielded or may yield information important in history or prehistory; and/or

B. It meets the criteria for listing on the *California Register of Historical Resources*, as follows:

1. The resource or district is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
2. The resource or district is associated with the lives of persons important to local, California or national history.
3. The resource or district embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master, or possesses high artistic value.
4. The resource or district has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation; and/or

C. It meets the criteria for significance due to community and geographic setting in one of the following ways:

1. The proposed resource materially benefits the historic character of the community.
2. The unique location or singular physical characteristic of the resource or district proposed for designation represents an established and familiar visual feature of the community, area, or County.
3. The district is a geographically definable area, urban or rural, possessing a significant concentration or continuity of site, buildings, structures, or objects unified by past events, or aesthetically by plan or physical development.
4. The preservation of a resource or resources is essential to the integrity of the district.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

5. The resource or district proposed for designation is connected with a business or otherwise, which was once common but is now rare; and/or
- D. It meets the "Integrity" criteria of the *California Register of Historical Resources* such that:
1. The resource retains the authenticity of physical identity evidenced by the survival of characteristics that existed during the resource's period of significance.
 2. The resource retains enough of its historic character or appearance to be recognizable as a historic resource and to convey the reasons for its significance.
 3. The resource has been rehabilitated or restored to reflect the qualities specified in (C) 1 and (C) 2 above.
 4. The resource has been altered over time and the alterations themselves have historical, cultural or architectural significance.
 5. The resource has lost its historic character or appearance, but still has sufficient integrity to yield significant scientific or historical information or specific data.

45.060 - PROCESSING OF APPLICATIONS

- A. An application for inclusion in the Official Register must be submitted to the Planning Department by the property owner whereon such cultural/historic resource exists or by a majority of the property owners if more than one parcel is involved in the request.
- B. The form and content of the application shall be as determined by the Planning Director, or an authorized designee, in consultation with the Director of Museums. Such forms, and the instructions for their filing, shall be available to the public upon request.
- C. Applications for inclusion in the Official Register are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the provisions of Section 31.938 (Class 8) of the Placer County Environmental Review Ordinance [Chapter 31, P.C.] and §15308, Title 14, Chapter 3, California Administrative Code [Guidelines for the California Environmental Quality Act]. Appropriate findings shall be adopted by the Board of Supervisors if such applications are approved.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

D. Applications shall be processed by the Planning Director or a designee as follows:

1. The application shall be reviewed within thirty (30) days after it is submitted to the Planning Department in order to determine if all necessary information is contained within the application to allow the analysis required by Section 45.050 [Review Criteria].
2. If all of the necessary information is included within the application, the Planning Director or a designee shall accept the application as being complete and shall notify the applicant, in writing, of such a determination. If all of the necessary information is not included with the application, the Planning Director or a designee shall provide to the applicant a written request for all such additional information as is required in order for the Planning Director or a designee to complete the analysis specified in Section 45.050 [Review Criteria].
3. Additional information provided by the applicant shall be reviewed by the Planning Director or a designee within fifteen (15) days of the date of resubmittal to the Planning Department. The same process as described in subsections 45.060(D) 1 & 2 above shall be followed. If, after three attempts to obtain the additional information necessary to process the application, the requested information is not provided by the applicant to the satisfaction of the Planning Director, the application shall be deemed withdrawn and no further processing will take place.
4. Once accepted as complete, the application shall be evaluated by the Planning Director or a designee for compliance with the provisions of Section 45.050 (Review Criteria). As a part of said review, the Planning Director or a designee shall seek the recommendation of the Director of Museums or a designee, and the Placer County Historical Advisory Board (HAB). The Planning Director may consult with any appropriate historical society, with any individual who may have special knowledge about the resource that is the subject of the application under consideration, and/or with any public agency to assist in the preparation of a written report to the Board of Supervisors.

The Planning Director or designee may conduct any public meetings, workshops, etc., determined to be necessary to provide adequate information for inclusion in the report to the Board of Supervisors. A report shall be prepared by the Planning Director or a designee and transmitted to the Clerk of the Planning Commission for scheduling not later than ninety (90) days after the application is determined to be complete. This period may be extended upon written request by the applicant.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

45.070 - PLANNING COMMISSION HEARING

- A. A public hearing shall be conducted by the Planning Commission to consider the application for inclusion in the Official Register. The hearing shall be conducted as required by Sections 25.110 and 25.300 of Chapter 30 [Zoning Ordinance], Placer County Code.
- B. At the conclusion of the public hearing, the Planning Commission may recommend to the Board of Supervisors that the application be approved for inclusion in the Official Register. Such a recommendation requires a positive vote of at least four members of the Commission.
- C. If fewer than four members of the Commission cast a positive vote for the approval of the application, or if the Commission fails to approve the application for any other reason, the application shall not be forwarded to the Board of Supervisors for action unless the action of the Commission is appealed to the Board pursuant to Sections 25.050 and 25.140, Chapter 30 [Zoning Ordinance], Placer County Code.

45.080 - BOARD OF SUPERVISORS HEARING

- A. The sole authority to designate a cultural or historic resource or cultural/historic district in the Official Register shall be vested in the Board of Supervisors.
- B. The Board shall schedule a public hearing to consider any application to include a cultural or historic resource in the Official Register that is recommended to them by the Planning Commission. Notice of such hearing shall be given pursuant to the requirements of §65090 et seq. of the California Government Code. At such hearing, the Board of Supervisors may adopt, modify, or reject the designation recommended by the Planning Commission. In the alternative, the Board may continue its consideration of the matter, or refer the proposed designation to the Planning Director, the Planning Commission, or any other appropriate hearing body for further hearings, consideration, or study within a period of time established by the Board. Approval of the application and inclusion of the designated resource, site or district in the Official Register, as well as any collateral rezoning actions, shall be by ordinance.
- C. Within thirty (30) days of the Board of Supervisors' decision, notice thereof shall be mailed by the Clerk of the Board of Supervisors, to the record owner(s) of the property proposed for designation at the address shown on the application, to the Planning Director, to the Director of the Department of Museums, and to any other such persons as may be deemed appropriate by the Clerk of the Board.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

Such notice shall include the basis for any historical designation and a summary of any special requirements that result from such designation.

45.090 - DELETION OF DEMOLISHED OR DESTROYED RESOURCE

When a designated cultural/historic resource has been demolished or otherwise destroyed pursuant to the appropriate legal procedures established in the County Code, the Planning Director, upon notice thereof and after consultation with the Director of Museums or an authorized designee, shall file with the Director of Museums a notice to remove such structure/resource from the Official Register. Such notice shall also be filed with the Placer County Clerk-Recorder Registrar's Office.

46.100 - AMENDMENT OF OFFICIAL REGISTER

Any amendment, additions, or deletions to the Official Register shall be initiated, considered, and approved or disapproved according to the procedures set forth in Sections 45.040 through 45.090 of this Ordinance.

45.110 - CULTURAL/HISTORIC DISTRICT PLAN AND CULTURAL/HISTORIC PRESERVATION PLAN

A. The Director of Museums, in consultation with the Historical Advisory Board, shall, as time and budget permit, develop and promulgate a Cultural/Historic Preservation Plan which may be used in conjunction with this Ordinance. The Cultural/Historic Preservation Plan shall contain, but is not limited to, the following elements:

1. A statement of the goals for the preservation of the cultural/historic resources;
2. An analysis of physical conditions of the resources;
3. An analysis of the compatibility of the resources with existing plans, policies, and programs of the County;
4. A description of the resources, including such design elements and heritage which combine to make the resources culturally/historically significant;
5. A description of the predominant historic and/or architectural period or style, represented by such resource;
6. A description of the specific features of such architectural periods or styles represented in the historic resource including, but not limited to, building

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

height, bulk, distinctive architectural details, materials, textures and landscaping; and,

7. Recommendations for implementation of the plan based upon the findings, standards, and design criteria contained therein.
- B. The Director of Museums, in consultation with the Historical Advisory Board, shall, as time and budget permit, develop and promulgate a Cultural/Historic District Plan which may be used in conjunction with this Ordinance as applied to each cultural/historic district. The plan shall contain, but is not limited to, the following elements:
1. A statement of the goals for the preservation of the cultural/historic district;
 2. An analysis of physical and socioeconomic conditions of the district;
 3. An analysis of the compatibility of the district with existing County plans, policies, and programs;
 4. A description of the structures, design elements, and heritage which combine to constitute the cultural/historic district;
 5. A description of the predominant historic - and/or architectural periods or styles;
 6. A description of the specific features of the architectural periods or styles represented in any historic district including, but not limited to, building height, bulk, textures, 'and landscaping; and/or,
 7. Recommendations for implementation of the plan based upon the findings, standards, and design criteria contained therein.

45.120 - APPROVAL OF PERMITS

Except as provided in Section 45.130 below, no permit or entitlement shall be issued for any construction work on a cultural/historic resource, its site, or within any cultural/historic district that is designated in the Official Register, unless and until the issuance of an appropriate permit occurs pursuant to the procedures set forth in Section 45.150 of this Ordinance.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

45.130 - DANGEROUS STRUCTURES

The provisions of this Ordinance shall not be construed to prevent any construction, alteration, or demolition necessary to correct the unsafe or dangerous condition of any structure, or part thereof, where such condition has been declared unsafe or dangerous by the Placer County Building Department, the Placer County Fire Chief or any local fire chief, and where the proposed measures are necessary to correct such condition, or in instances of natural disaster, where the State Office of Historic Preservation determines, pursuant to California Public Resources Code §5028, as amended, that a structure should be demolished, destroyed, or significantly altered.

45.140 - SUBSTANDARD BUILDINGS

- A. The Placer County Building Official, the Placer County Fire Chief, or any local fire chief shall notify the Director of Museums whenever such official declares a historic resource or structure within a historic district to be a substandard or dangerous building.
- B. Upon receipt of notice from the Placer County Building Official, the Placer County Fire Chief, or any local fire chief, the Director of Museums shall evaluate the historic and architectural merit of the resource or structure, and shall submit an advisory report to the Building Official, the Fire Chief, or any local fire chief within thirty (30) days.

45.150 - DEMOLITION OR DESTRUCTION OF CULTURAL/HISTORIC RESOURCES, INCLUDING SITES IN A CULTURAL/HISTORIC DISTRICT

- A. The alteration, reconstruction, demolition, or destruction in whole or part, of a designated cultural/historic resource or a site in a designated cultural/historic district is prohibited unless permission is granted by the Planning Director or his designee pursuant to this section. The property owner of such structure, or an authorized agent, must give the Planning Director ninety (90) days prior written notice that such act is planned for such structure. Subject to the provisions of this subsection, no application for a permit to carry out such alteration, reconstruction or demolition will be deemed complete until the notice has been provided and the ninety (90) day period has been completed. Following the receipt of such notice, the Planning Director may take such steps as are deemed to be necessary to preserve the structure concerned. The Planning Director and/or the Director of Museums may, among other things:
 - 1. Seek local trusts and other financial sources that may be willing to purchase the resource for restoration;
 - 2. Publicize the availability of the resource for purchase for restoration purposes;

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

3. Make recommendations to the Board of Supervisors concerning the acquisition of development rights or facade easements and the imposition or negotiation of other restrictions for the preservation of the resource;
 4. Investigate possible sites for relocation of the resource; and/or
 5. Recommend to the Board of Supervisors that the County purchase the resource where it does not appear that private preservation is feasible.
- B. The Planning Director may extend the required ninety (90) day period for good cause, not to exceed a total of one hundred and twenty (120) days, unless a longer period of time is agreed to, in writing, by the property owner.
- C. The prohibitions in Section 45.150(A) above shall not apply:
1. To the demolition of a structure that has been damaged due to a natural disaster and the structure presents an imminent threat to the public of bodily harm or damage to adjacent property, as determined by one of the public officials listed in Section 45.130 above; or when the State Office of Historic Preservation determines, pursuant to California Public Resources Code §5028, as amended, that the structure may be demolished, destroyed, or significantly altered.

45.160 - ADVICE AND GUIDANCE TO PROPERTY OWNERS

The Director of Museums, in consultation with the Historical Advisory Board, may render advice and guidance with respect to any proposed work not requiring a permit on a designated historic resource or in a designated historic district. Examples of such work are: Painting and repainting of exterior surfaces, fencing, landscaping, and installation of lighting fixtures. In rendering such advice and guidance, the Director of Museums and/or the Historical Advisory Board shall be guided by the purposes and standards of this Ordinance.

45.170 - INCENTIVES

- A. Fire and Building Codes. Issuance of a permit in conformance with this Ordinance shall not alter conformance requirements with the other standards and requirements of other appropriate building, construction or fire codes (including, but not limited to, the Uniform Building Code, the Uniform Fire Code and the Uniform Code for Building Conservation). The Placer County Building Official, the Placer County Fire Chief, and any local fire chiefs are encouraged to liberally construe and apply all pertinent codes so as to effectuate the purposes of this Ordinance.
- B. State Historical Building Code. The California State Historical Building Code (SHBC) provides alternative building regulations for the rehabilitation,

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

preservation, restoration, or relocation of structures designated as historic resources. The California State Historical Building Code shall be used for any designated site/historic resource in the County's building permit procedure.

- C. Preservation Easements/Acquisition of Property. Preservation easements on the facades of buildings, or elsewhere on any site, or acquisition of property deemed valuable as a cultural/historic resource may be acquired by the County or an appropriate nonprofit group through purchase, donation, or condemnation pursuant to California Civil Code §815.
- D. The Mills Act The County will, whenever appropriate, use the Mills Act contract as an incentive through the reductions in property taxes (Chapter 831, California Government Code §§50280-50289; California Revenue and Tax Code §§439-439.4.
- E. Waiver of Application Fees. Fees for applications and/or permits that are required to comply with the provisions of this Ordinance may be waived or reduced by the Board of Supervisors upon a request from the property owner(s) or an authorized representative if the Board determines that such a waiver or reduction of fees would further the intent and purpose of this Ordinance.
- F. Development Standards. Development standards associated with the use of any cultural/historical resource, site or district may be waived or reduced by the Planning Commission or the Board of Supervisors upon specific application by the property owner(s) or an authorized representative if either body determines that to do so would further the intent and purpose of this Ordinance.
- G. Categorical Exemption - CEQA. Projects undertaken within any cultural/historical resource, site or district shall be considered categorically exempt from the requirements of the California Environmental Quality Act (CEQA) so long as such work is in compliance with the provisions of the Secretary of the Interiors Standards and Guidelines for Archaeology and Historic Preservation.

45.180 - ORDINARY MAINTENANCE AND REPAIR

Nothing in this Ordinance prohibits the ordinary maintenance and repair of any exterior feature of any structure on property listed in the Official Register; however, such maintenance or repair shall not involve a change in the design or result in the modification, demolition or removal of any architectural feature of the property. Not later than ten (10) days prior to any maintenance or repairs on an Official Register building or site, the Planning Director shall be notified by the property owner or an authorized designee of the proposed maintenance or repair. The Planning Director or a designee, in consultation with the Director of Museums or a designee shall take appropriate action to confirm that no adverse effect will result to the cultural/historic

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

resource as a consequence of the proposed maintenance or repair. All repairs and maintenance shall comply with Placer County design review standards (ref. Placer County Code, Chapter 30 [Zoning Ordinance], Section 5.550 [Design Review])

46.190 - ENFORCEMENT AND PENALTIES

Any person who violates the provisions of this Ordinance shall be subject to the provisions of Section 35 [Enforcement], Chapter 30 [Zoning Ordinance] of the Placer County Code.

45.200 - SEVERABILITY

If any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

45.300 - DEFINITIONS

Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning and application of words and phrases used in this ordinance.

Alteration means any significant change or any substantial structural transformation of any historic or cultural resource. Alteration includes, but is not limited to the following:

1. exterior structural change or modification of a site, fence or structure;
2. change or modification of the exterior architectural features of a site, fence, or structure including surface texture and materials (not including paint);
3. change or modification of a site, including grading, paving, cutting or removal or modification of significant vegetation, or other natural features;
4. new structures or fences;
5. demolition of structures or fences;
6. placement or removal of exterior objects or features such as signs, plaques, light fixtures, street furniture, walls, fences and steps;
7. disturbance of any archaeological site; however,

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

8. alteration does not include ordinary maintenance and repair of structures and maintenance of gardens.

Archaeological Site means a bounded area of a resource containing archaeological deposits or features that is defined in part by the character and location of such deposits or features.

Board of Supervisors means the Board of Supervisors of Placer County.

Building means a resource, such as a barn, church, factory, hotel, or similar structure, created principally to shelter or assist in carrying out any form of human activity.

California Historical Landmark means a prehistoric or historic site which has been recommended by the State Historical Resources Commission and designated by the Director of the California Department of Parks and Recreation. The California Historical Landmark program recognizes properties that are significant at the state level, or within a large geographic region. This program is administered by the State Office of Historic Preservation.

California Point of Historical Interest means a site which has been recommended by the State Historical Resources Commission and designated by the Director of the California Department of Parks and Recreation. The Point of Historical Interest program recognizes properties that are significant within the small local context of a county or community. This program is administered by the State Office of Historic Preservation.

California Register of Historical Resources means an authoritative listing and guide to be used by state and local agencies, private groups and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change [Title 14, Chapter 11.5, §4859 *et seq.*, California Public Resources Code].

County means the County of Placer, State of California.

Cultural means related to the origins or history of humans in Placer County.

Cultural/Historic District means a geographic area which contains a concentration of historic buildings, structures, or sites united historically, culturally, archaeologically, or architecturally. Historic districts are defined by precise geographic boundaries.

Cultural resources means buildings, structures, signs, features, sites, places, areas, or other objects of scientific, aesthetic, educational, cultural, archaeological, architectural, or historic significance to the residents of the County.

Cultural Resources Inventory means a listing of potentially significant cultural resources located in a particular community or region. Several cities and communities in

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

Placer County have conducted complete or partial inventories including- Auburn, Foresthill, Lincoln, and Loomis.

Cultural Resources Survey means the process of systematically identifying, researching, photographing, and documenting cultural/historic resources within a defined geographic area.

Design Criteria means the criteria that must be followed pursuant to this Ordinance to improve or modify a historic resource or structure within a historic district.

Director of Museums means the Director of the Museums Department of Placer County or an authorized designee.

Designated Site/Resource means that portion of a parcel on which a significant cultural or historic resource is or has been situated. and has been listed on the National Register of Historic Places, the California Register of Historical Resources, the California Historical Landmark Program, California Point of Historical Interest Program, or The Placer County Official Register of Cultural and Historic Resources.

Historic/Historical Resource means any structure, object, fence, site, or portion of a site which has a significant historic, archaeological, architectural, engineering or cultural value, real property or improvement thereon such as a structure, archaeological excavation, or object that is unique or significant because of its location, design, setting, materials, workmanship, or aesthetic feeling and is designated as such by the Board of Supervisors pursuant to the provisions of this Ordinance.

Historical Advisory Board means the Placer County Historical Advisory Board as established by the Placer County Board of Supervisors, Resolution #83-104 and 86-499.

Integrity means soundness or completeness.

Mills Act means an act that was adopted in 1972 and amended in 1984 to provide for a reduction in property taxes on a historic property when certain conditions are met. Owners of designated historic properties must enter into a preservation contract directly with the local government agreeing to restore the property if necessary, maintain its historic character, and use it in a manner compatible with the historic characteristics (California Government Code §50280-§50290 and California Revenue and Tax Code §439-§439.4.)

Minor Alteration means any of the following alterations: the placement, removal, or insignificant change or modification of a fence, sign, plaque, light fixture, street furniture, steps, platforms, walks, driveways, temporary motion picture, television, and theater stage steps and scenery.

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

National Register of Historic Places means the official inventory of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, and culture which is maintained by the Secretary of the Interior under authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470-470t, 36 C.F.R. Sections 60, 63).

Natural Features means significant geological, botanical or paleontological object(s).

Object means an item of significant historic or cultural value that can be seen or touched, such as an artifact, monument, or work of art.

Ordinance means the Placer County Cultural and Historic Resources Preservation Ordinance.

Ordinary Maintenance and Repair means any work where the purpose and effect of such work is to prevent or correct any deterioration of or damage to a structure or any part thereof and to restore the structure or part thereof to its condition prior to the occurrence of such deterioration or damage.

Placer County Cultural Resources Inventory means a listing of potentially significant cultural and historic resources, located in the unincorporated areas of Placer County, which was developed by the Placer County Department of Museums as a research tool. Records of the Placer County Cultural Resources Inventory are maintained in the State Office of Historic Preservation, the North Central Information Center, the Placer County Planning Department and the Placer County Department of Museums.

Placer County Official Register of Cultural and Historic Resources ("Official Register") means those sites and areas officially designated by the Board of Supervisors as cultural/historic resources and cultural/historic districts.

Planning Commission means the Planning Commission of the County of Placer.

Planning Director means the Director of the Planning Department of Placer County, or an authorized designee.

Preservation means use of a long-term or permanent safeguard to guarantee the viability of cultural/historic resources.

Preservation Easement means a legal instrument recorded against a parcel or parcels of real property that limits the property owner's ability to alter, change, modify, destroy or in any way threaten the cultural and/or historical value of a cultural/historical resource without consultation and authorization of the agency to whom the easement

CHAPTER 45: CULTURAL AND HISTORIC RESOURCES PRESERVATION

has been assigned. Once imposed, such an easement "runs with the land" thereby requiring current and future property owners to abide by its terms.

Recordation means §27288.2 of the California Government Code and §5029 of the California Public Resources Code requiring the County Recorder to record in the Official Records of Placer County a certified resolution of cultural/historic resources designation, containing the name of the current property owner, the historic resources registration program, the designating entity, the specific historic resources designation, and a legal description of the property.

Regulated Permits means a permit issued for any work on an officially designated cultural/historic structure, its site, or any resource within an officially designated cultural/historic district.

Secretary of the Interior's Standards and Guidelines for Historic Preservation Projects means material published in the Federal Register, with accompanying interpretive guidelines, which are utilized by federal agencies in the preservation of historical properties that are listed, or are eligible for listing, on the National Register. They are also used by some State Historic Preservation Offices, in evaluating projects proposed as historical resources in accordance with federal regulations or by local governments, organizations, and individuals in making decisions about the identification, evaluation, registration, or treatment of historic properties. The Secretary of the Interior Standards for Rehabilitation is aimed at retaining and preserving those features and material which are important in defining the historic character of an historical resource. Technical advice about archaeological and historic preservation activities and methods is included in the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

Significant means having important historic, archaeological, architectural or engineering value.

State Historical Building Code (SHBC) means the State Historical Building Code contained in Part 8 of Title 24 [State Building Standards Code] and applies to all qualified historic structures, districts and sites, designated under federal, state, or local authority. It provides alternatives to the Uniform Building Code in cases consistent with building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historic structures designated as historic buildings.

State Office of Historic Preservation means a division of the California Department of Parks and Recreation which serves as the staff to the State Historic Preservation Officer, or such other official designated and appointed by the Governor of California to administer the historic preservation programs of the State and which administers the California Register of Historical Resources.